

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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TERENCE POLETTI, <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	21-CV-7603 (VSB)
	:	
-against-	:	
	:	<b><u>ORDER</u></b>
PEPSI-COLA BOTTLING COMPANY OF	:	
NEW YORK, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	
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VERNON S. BRODERICK, United States District Judge:

On September 18, 2023, Plaintiffs moved for reconsideration of my Opinion & Order dated September 6, 2023, (Doc. 97). (Doc. 98.)

On October 4, 2023, Plaintiffs moved to stay this case pending the Supreme Court’s resolution of *Bissonnette v. LePage Bakeries Park St.*, No. 23-51, 2023 WL 6319660 (U.S. Sept. 29, 2023) (certiorari granted). (Doc. 101.) The Supreme Court has now resolved the case. *See Bissonnette v. LePage Bakeries Park St., LLC*, 601 U.S. 246 (2024). The parties should now submit briefing on the impact, if any, the Supreme Court’s decision in *Bissonnette* has on the pending motion for reconsideration.

On November 18, 2024, Defendants filed a letter brief (“Defs.’ Ltr”) updating the Court about a purported change in circumstances related to Plaintiff Carrieri. (Doc. 123.) Defendants essentially argue that Plaintiff Carrieri submitted a Demand for Arbitration on August 27, 2024, and therefore the Court should deny Plaintiffs’ motion for reconsideration, (Doc. 98), and Plaintiffs’ motion to stay (Doc. 101) as moot as to Plaintiff Carrieri. If Plaintiffs would like to respond to Defs.’ Ltr, they may do so. Defendants will not have the opportunity to reply.

Accordingly, it is hereby:

ORDERED that the parties shall submit letter briefs regarding the impact, if any, the Supreme Court's decision in *Bissonnette v. LePage Bakeries Park St., LLC*, 601 U.S. 246 (2024) has on the pending motion for reconsideration and any other matters related to this action on or before December 13, 2024. Each letter brief shall be no longer than three pages.

ORDERED that Plaintiffs shall file a response, if they choose to do so, to Defs.' Ltr, (Doc. 123) on or before December 2, 2024. Plaintiffs' response shall be a letter brief that is no longer than three pages.

The Clerk of Court is respectfully directed to terminate the motion to stay (Doc. 101).

SO ORDERED.

Dated: November 19, 2024  
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick", written over a horizontal line.

Vernon S. Broderick  
United States District Judge